

Action Minutes - Final

City Commission

Rex Hardin, Mayor

Barry Moss, Vice Mayor

Rhonda Eaton, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceleta Hammond, City Clerk

Tuesday, July 23, 2019

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor, called the meeting to order at 6:00 p.m.

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Andrea McGee
Commissioner Tom McMahon
Commissioner Beverly Perkins
Vice Mayor Barry Moss
Mayor Rex Hardin

INVOCATION

Pastor Larry Vinkemulder of First Baptist Church of Pompano Beach offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[19-568](#) Regular City Commission Meeting Minutes of July 9, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Minutes be APPROVED AS SUBMITTED. The motion carried unanimously.

APPROVAL OF AGENDA

Mayor Hardin announced that item 14 will be postponed until September 24, 2019 City Commission meeting.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Agenda be APPROVED AS AMENDED. The motion carried unanimously.

CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

Mayor Hardin announced that items 5, 6 and 7 would be pulled for City Commission discussion.

A. AUDIENCE TO BE HEARD

Mayor Hardin announced that it was time for “Audience To Be Heard” and offered the following guidelines: Once your name is called, please come forward to the podium in front of the commission, state your name and address for the record. Speakers will be limited to three minutes to speak on any item of concern or interest, including those items pulled from the Consent Agenda. In addition, he asked speakers not to speak on any items on tonight’s agenda, as they will have that opportunity to do so when that item comes forward. Lastly, he requested that speakers refrain from any emotional outbursts in either support or non-support of the speaker’s comments.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the “audience to be heard” session. The “audience to be heard” session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session”. (Effective May 28, 2019)

The following persons were called to speak:

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL

Patricia Hicks, 672 NW 20th Street, Pompano Beach, FL

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL

Lauren McGee, 560 SE 23rd Avenue, Pompano Beach, FL

Anca Vague, 1505 North Riverside Drive, Pompano Beach, FL

B. CONSENT AGENDA

Mayor Hardin announced that items 1-4 and 8-10 were Approved/Adopted without discussion.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the items under the Consent Agenda. The motion carried unanimously.

1. [19-556](#) Approve ranking order for RFP E-22-19, HVAC Maintenance and Repair Services, and authorize staff to negotiate a contract with the highest ranked firm, A-Excellent Service, Inc. (No cost at this time.).
(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

2. [19-570](#) Approval to award RFP P-27-19, Emergency and On-Call Utility Repair Services to the highest ranked firms, Reynolds Construction, a local Pompano Beach firm, and Man Con, Inc.
(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

3. [19-593](#) Request to approve the increase to the existing limit by \$300,000.00 for the purchase of Neptune Water Meters, Parts, and Accessories, based on section 32.45 (Standardization) of the City Code of Ordinances.
(Fiscal Impact: \$300,000.00)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

4. [19-602](#) Approval to piggyback Broward County contract #PNC116408B1 for as-needed purchases of Subsurface Facility and Utility Locating Services, from High Tech Engineering, Inc., at an estimated annual cost of \$190,000.00.
(Fiscal Impact: \$190,000.00)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

5. [19-592](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. D/B/A SERVICE LINE WARRANTIES OF AMERICA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: One-time payment to the City of \$45,000 plus \$0.50 monthly per account, aggregated and paid annually)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton

McGee

McMahon

Perkins

Moss

No: Hardin

Enactment No: RES. No. 2019-236

6. [19-584](#) Approve ranking order for RFQ E-10-19, Construction Management at Risk (CMAR) for Various Bridge Improvement Projects, and authorize staff to negotiate a contract with the highest ranked firm, The Whiting Turner Contracting Company (No cost at this time.).

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Approval Request be APPROVED. The motion carried by the following vote:

Yes: Eaton

McGee

McMahon

Perkins

Moss

Hardin

7. [19-597](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM KENNY DAVIS CONTRACTING, LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner

Perkins, that the Consent Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-237

8. [19-600](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2019-238

9. [19-604](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE CITY OF POMPANO BEACH, AND OTHER BROWARD COUNTY CITIES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2019-239

10. [19-575](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING WHITNEY A. METEVIA TO THE CHARTER AMENDMENT ADVISORY BOARD OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER TOM MCMAHON; FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner

Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2019-240

C. REGULAR AGENDA

11. [19-476](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS THROUGHOUT THE INCORPORATED AREA OF THE CITY OF POMPANO BEACH, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR EXEMPTION; PROVIDING FOR A VACANCY ADJUSTMENT FOR MOBILE HOME PARK PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$22,210,972.00)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-241

12. [19-532](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN ARSH OIL & GAS LLC AND THE CITY OF POMPANO BEACH FOR THE PURCHASE OF PROPERTY LOCATED AT 550 SOUTH CYPRESS ROAD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$649,000.00)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-242

13. [19-603](#) Approval to award Bid E-35-19 Nanofiltration Membrane Element Replacement to the sole responsive responsible bidder, Hydranautics, at a cost of \$1,098,000.00.
(Fiscal Impact: \$1,098,000.00)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Approval Request be APPROVED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

14. [19-487](#) **P.H. 2019-89: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.4201., "GENERAL," TO CLARIFY LIMITATIONS OF PRINCIPAL USES INVOLVING SEXUALLY ORIENTED BUSINESSES; BY AMENDING SECTION 155.4224., "COMMERCIAL: SEXUALLY ORIENTED BUSINESSES," TO INCLUDE CUSTOMARY ACCESSORY USES; BY AMENDING SECTION 155.4302., "GENERAL," TO CLARIFY GENERAL STANDARDS FOR ACCESSORY USES IN CONNECTION WITH SEXUALLY ORIENTED BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JULY 9, 2019

FIRST READING: JUNE 25, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be POSTPONED until September 24, 2019 City Commission meeting. The motion carried

unanimously.

15. [19-537](#) **P.H. 2019-96: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSENT TO ASSIGNMENT OF THE AGREEMENT BETWEEN BIG SPAN STRUCTURES, LLC, AS ASSIGNOR, AND RECREATIONAL DESIGN & CONSTRUCTION, INC., AS ASSIGNEE, FOR THE DESIGN, CONSTRUCTION AND INSTALLATION OF THE AMPHITHEATER RENOVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 9, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2019-77

16. [19-541](#) **P.H. 2019-97: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT AGREEMENT FOR SCHOOL CROSSING GUARD SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE BUTLER GROUP OF SOUTH FLORIDA, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Increase of \$12,260 for School Crossing Guard Service since the First Amendment.)

FIRST READING: JULY 9, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2019-78

17. [19-563](#) **P.H. 2019-95: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE LEASE/CONCESSION AGREEMENT BETWEEN GLR GROUP, LLC AND THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 9, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

No: Moss

Enactment No: ORD. No. 2019-79

18. [19-539](#) **P.H. 2019-90: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING ARTICLE II, SECTION 6 TO CHAPTER 57-174, LAWS OF FLORIDA SPECIAL ACTS OF 1957 AS SUBSEQUENTLY AMENDED AND SUPPLEMENTED, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF POMPANO BEACH, FLORIDA, MODIFYING THE DATES FOR MUNICIPAL GENERAL ELECTIONS; EXPANDING THE TERMS OF OFFICE OF CITY COMMISSIONERS; STAGGERING TERMS OF CITY COMMISSIONERS; PROVIDING THAT IF ANY OF THE AMENDMENTS ARE APPROVED BY A MAJORITY OF THE VOTERS AT THE SPECIAL ELECTION OF MARCH 17, 2020, THEN EACH SUCH AMENDMENT SHALL BECOME A PART OF THE CITY'S CHARTER UPON CERTIFICATION AND ACCEPTANCE OF THE ELECTION

RESULTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;
PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$55,000.00)

FIRST READING: JULY 9, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton

McGee

McMahon

Moss

Hardin

No: Perkins

Enactment No: ORD. No. 2019-80

QUASI-JUDICIAL PROCEEDING**19. [19-502](#) P.H. 2019-88: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED ON THE SOUTHEAST CORNER OF THE INTERSECTION OF A1A AND NE 16TH STREET COMMONLY KNOWN AS 1508 N. OCEAN BLVD. FROM RM-45 (MULTIPLE-FAMILY RESIDENCE 45) TO PD-I (PLANNED DEVELOPMENT-INFILL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 9, 2019

Meeting went into Recess

Meeting Reconvened

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Ordinance be ADOPTED. The motion carried by the following roll call vote:

Yes: Eaton

McGee

McMahon

Moss

No: Perkins

Hardin

Enactment No: ORD. No. 2019-81

20. [19-525](#) P.H. 2019-93: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED WEST OF SOUTH DIXIE HIGHWAY ON THE NORTH AND SOUTH SIDES OF SW 11TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 9, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2019-82

21. [19-528](#) **P.H. 2019-92: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING PORTIONS OF THE RIGHT-OF-WAY ON MAGNOLIA DRIVE (SW 11th STREET) LOCATED WEST OF SOUTH DIXIE HIGHWAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 9, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2019-83

22. [19-596](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING A PERPETUAL FIRE ACCESS EASEMENT AND NONEXCLUSIVE UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-243

23. [19-392](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE HUOK PLAT LOCATED ON THE NORTHEAST CORNER OF POWERLINE ROAD AND NW 9TH STREET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JUNE 25, 2019, MAY 28, 2019 & MAY 14, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-244

24. [19-389](#) **P.H. 2019-72: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN TWENTY-EIGHT FOOT ROAD RESERVATION EASEMENT LOCATED PARALLEL TO POWERLINE ROAD AND NORTH OF NW 9TH STREET, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JUNE 25, 2019, MAY 28, 2019 & MAY 14, 2019

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

25. [19-577](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE MARQUIS APARTMENTS PLAT LOCATED WEST OF NW 18TH AVENUE ON THE SOUTH SIDE OF DR. MARTIN LUTHER KING, JR. BOULEVARD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-245

26. [19-578](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE 621 NE 1ST AVENUE DEVELOPMENT PLAT LYING ADJACENT TO AND EAST OF THE FEC RAILROAD BETWEEN NE 7TH STREET AND NE 8TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-246

END OF QUASI-JUDICIAL PROCEEDING

27. [19-588](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT REGARDING IMPROVEMENTS TO NORTH OCEAN PARK BETWEEN THE CITY OF POMPANO BEACH AND MOUNT VERNON PROPERTY HOLDINGS, LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-247

28. [19-598](#) **P.H. 2019-100: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIFTH AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIER ASSOCIATES, LLC, RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

29. [19-581](#) **P.H. 2019-98: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE OCEANSIDE PARKING LOT AT 109 NORTH OCEAN BOULEVARD; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 26, 2019; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

SPECIAL NOTE: Prior to commencing discussion on this item, Mayor Hardin announced that the time was 11:02 p.m. and pursuant to the City Commission meeting rules, he called for a motion to extend the meeting until midnight or sooner. Otherwise, the meeting would need to be adjourned at this time and reconvene tomorrow morning at 9:00 a.m.

A motion was made by Vice Mayor Moss, seconded by Comr. McGee to extend the meeting until midnight or sooner. The motion carried unanimously.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

30. [19-579](#) **P.H. 2019-99: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TEXT TO MODIFY LAND USE CATEGORY INTENSITY POLICY 1.07.20 RELATED TO HEIGHT AND LOT COVERAGE STANDARDS FOR CERTAIN LAND USE CATEGORIES; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 26, 2019; PROVIDING THAT A TRANSMITTAL HEARING AND AN ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be APPROVED FIRST

READING. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

31. [19-601](#) **P.H. 2019-101: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY FOR A PORTION OF MCNAB PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Moss
Hardin

No: Perkins

32. [19-536](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING THE CITY MANAGER AUTHORITY DURING THE CITY COMMISSION'S AUGUST HIATUS TO PERFORM AND FINISH SUCH MATTERS AS MAY HAVE BEEN BUDGETED AND AUTHORIZED, SUBJECT TO RATIFICATION THEREAFTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-248

33. [19-545](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ROBERT ZBIKOWSKI** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2022; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Robert Zbikowski, Real Estate Appraiser/**Incumbent** - District 1

Joby Balint, Architect/**Incumbent** - District 1

Salah Elroweny, Architect General Contractor/**Incumbent** - District 3

Ray Lubomski, Civil Engineer, Alternate #1/**Incumbent** - District 3

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to insert the name ROBERT ZBIKOWSKI and that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-249

34. [19-546](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOBY BALINT** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2022; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 19-545 FOR APPLICANTS.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to insert the name JOBY BALINT and that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-250

35. [19-547](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING SALAH ELROWENY TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 19-545 FOR APPLICANTS.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to insert the name SALAH ELROWENY and that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-251

36. [19-548](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RAY LUBOMSKI TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE 1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 23, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 19-545 FOR APPLICANTS.

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, to insert the name RAY LUBOMSKI and that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-252

37. [19-550](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **KERRY-ANN PARSONS** TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON AUGUST 22, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Richard J. Leys, *Incumbent* - District 3
Molly Moor, *Incumbent* - District 1
Mary C. Antoine - District 1
Patricia DeSanctis - District 1
Rafal Dradrach - District 1
Bruno Munoz - District 1
Corey Staniscia - District 1
Kerry-Ann Parsons - District 2
Sarahca Peterson - District 3
Hazel K. Armbrister - District 4
Monifa Aruwajoye - District 4
Marie Goodrum Johnson - District 4
Marcus A. McDougale - District 4
Shelton Pooler - District 4
John Reed - District 4
Janice A. Simmons - District 4
Veronica Thomas - District 4
Bettye A. Walker - District 4
Andy Cherenfant - District 5
Mona Silverstein - District 5

A motion was made by Commissioner Eaton, seconded by Vice Mayor Moss, to insert the name KERRY-ANN PARSONS and that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-253

38. [19-551](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **RICHARD LEYS** TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON AUGUST 22, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2019-550 FOR APPLICANTS.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to insert the name RICHARD LEYS and that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-254

39. [19-586](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **MONA SILVERSTEIN** TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF MOLLY MOOR AS ALTERNATE 1; SAID TERM TO EXPIRE ON JULY 1, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2019-550 FOR APPLICANTS.

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, to insert the name MONA SILVERSTEIN and that the Regular Agenda/ Resolution be ADOPTED. Comr. Moss nominated Mona Silverstein and Comr. McMahon nominated Molly Moor. The

motion carried by the following vote:

Yes: Eaton
McGee
Moss
Hardin

No: McMahon
Perkins

Enactment No: RES. No. 2019-255

D. REPORTS

E. ADJOURNMENT

The meeting adjourned at 11:31 p.m.

BALANCE IN CONTINGENCY

Oct. 1, 2018	Beginning Balance	\$12,000.00
Mar. 5, 2019	Broward League of Cities Annual Gala	\$5000.00
Mar. 5, 2019	Sample McDougald House Event	\$3000.00
May 7, 2019	20th anniversary salute to leadership	\$3,500.00
	Total:	\$500.00